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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED
2008 AUG 27 PM 1:53

UNITED STATES OF AMERICA
vs.
Omar NAVARRO-Medina

Magistrate's Case No.

COMPLAINT FOR VIOLATION OF
21 U.S.C. 952 and 960

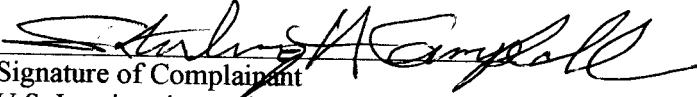
Unlawful Importation of a Controlled Substance

The undersigned complainant being duly sworn states:

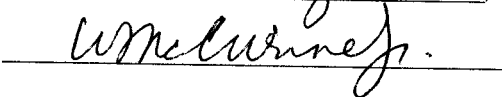
COUNT ONE

That on or about August 26, 2008, within the Southern District of California, defendant Omar NAVARRO-Medina knowingly and intentionally import approximately 124.10 kilograms (273.02 pounds) of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof; in violation of Title 21, United States Code, Sections 952 and 960.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


Signature of Complainant
U.S. Immigration and Customs Enforcement

Sworn to before me and subscribed in my presence, this 27th day of August, 2008.


United States Magistrate Judge

ROA
8/26/08
KMH

1 United States of America
2 VS.
3 Omar NAVARRO-Medina


4 PROBABLE CAUSE STATEMENT

5 On or about August 26, 2008, at approximately 7:30 a.m., Omar NAVARRO-Medina
6 attempted to enter the United States from Mexico, at the San Ysidro Port of Entry, San Diego,
7 California. At the time of entry, the suspect was the driver and sole occupant of a 2005 white
8 Nissan Titan bearing Baja California, MX license plate AM23730. At approximately 7:30 a.m.,
9 a U.S. Customs and Border Protection (CBP) Canine Enforcement Officer (CEO) was conducting
10 pre-primary roving operations with his assigned Narcotics Detector Dog (NDD). The CEO
11 observed the NDD alert to the presence of a narcotic odor coming from the interior of the
12 vehicle. The CEO radioed for assistance. A CBP Officer responded and made contact with
13 NAVARRO in primary lane #23. NAVARRO presented the CBP Officer with his Border
14 Crossing Card. The Officer then asked NAVARRO if he was bringing anything with him from
15 Mexico. NAVARRO gave two negative Customs declarations, stating that he was not bringing
16 anything with him. CBP Officers conducted a cursory inspection of the vehicle. During the
17 inspection, CBP Officers discovered a non-factory modification to the glove box and dash. CBP
18 Officers observed several clear cellophane wrapped packages inside the dash of the Nissan Titan.
19 The vehicle and subject were referred into vehicle secondary for further inspection. A
20 subsequent search of the vehicle resulted in the discovery of 18 cellophane wrapped packages
21 concealed within the dash and 32 packages concealed within the vehicles four (4) tires. A CBP
22 Officer probed one of the packages and discovered a green leafy vegetable substance. The
23 substance field-tested positive for marijuana. A total of 50 packages were removed from the
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1 vehicle. The gross weight of the packages was approximately 124.10 kilograms (273.02
2 pounds).

3 On August 26, 2008, NAVARRO admitted post-Miranda that he sought out to drive a
4 narcotic laden vehicle so that he could earn money. NAVARRO stated that he was going to be
5 paid \$1200 for upon successful delivery of a narcotic laden vehicle. NAVARRO stated that he
6 did not know that there were going to be narcotics in the vehicle on the day he drove it.
7 NAVARRO said he thought it was going to be following week when he would be smuggling a
8 narcotic laden vehicle into the United States.
9

10 NAVARRO was arrested and charged with violation of Title 21 USC 952, 960, Unlawful
11 Importation of a Controlled Substance, and was booked into the Metropolitan Correction Center,
12 San Diego, CA.
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15 Signature

16 U.S. Immigration and Customs Enforcement

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18 United States Magistrate Judge
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